

**TESTIMONY FOR LULAC AND THE NATIONAL PRESIDENT
BY JUDITH SANDERS-CASTRO
ON ~~HB 101, HB 218, and HB 625~~ SB 362**

**Before the Senate Committee of the Whole
Tuesday, March 10, 2009**

My name is Judith Sanders-Castro. I am an attorney who has practiced in the area of Voting Rights litigation for almost three decades. I have served as the State Legal Counsel for LULAC in the past, represented LULAC in Voting Rights litigation and testified before this legislature on behalf of LULAC concerning changes in election practices and procedures. I am here at the request of the National President, Rosa Rosales.

My comments are presented on behalf of the League of United Latin American Citizens (LULAC) and the national president, Rosa Rosales. President Rosales and LULAC have been at the forefront of challenging discriminatory election practices and systems for the past three decades in Texas. At all levels, LULAC has advocated for increased access for minority populations to the voting and electoral processes and engaged in legal challenges to discriminatory laws, practices and procedures in Austin and throughout the state. The bills before this committee today, ~~HB 101, HB 218, and HB 625~~ present some of the most onerous restrictions for minority voters in Texas seen in half a century. SB 362

The State of Texas has a bleak history of burdening the rights of people of color to vote. In 1966, the U.S. Supreme Court declared that a poll tax to vote violated the Equal Protection Clause of the 14th Amendment in *Harper v. Virginia Board of Elections*. Subsequently, Texas had the questionable distinction of being among the last four states to maintain a poll tax for voting. Even after the poll tax had been declared an unconstitutional burden on the right to vote by the Supreme Court, Texas only changed the requirement after being ordered to do so by a federal court in a later action declaring the poll tax unconstitutional.

Today, the legislature proposes again severely burdening the rights of people in Texas to register to vote and participate in the voting process. The bills before this committee, ~~HB 101, HB 218, and HB 625~~, create a process of registration that retrogresses from the postcard registration available for residents of Texas for decades. Calling for presentation of photo identification and other governmental documents information in order to register to vote completely eviscerates the current open and liberalized system of voter registration in Texas. The identification requirements for voting place unnecessary obstacles to the most fundamental of rights, the right to vote. SB 362

Essentially, these bills will require a re-registration of voters in Texas and make initial registration for new or first time voters a logistical nightmare. The state will reduce the location for voter registration to a few locations throughout the state, the Department of Public Safety offices for driver's license applications. Deputy registrars will not be able to conduct field registration; voter registration drives like those conducted by Southwest

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Voter Registration Project that has worked for decades to increase the Hispanic voter registration in our state, will not be possible because the new law requires on-site registration at limited locations.

Access to the registration sites, without significant expansion of locations with accompanying personnel, will pose the greatest burdens on poor and minority populations. None of the major cities in the state have a viable public transportation system, and those that exist provide limited service making use of the systems costly, time consuming and extraordinarily inefficient. In Texas, being poor equates with being people of color, Hispanics and African Americans. People of color are less likely to have personal transportation and much more likely to use public transportation than the Anglo population. Access to the voter registration sites alone will significantly discourage voter registration for these populations.

As several speakers have noted, there are many groups who will have difficulty with the changed requirements, producing the kind of government-issued identification required by these bills in order to register to vote or to vote. Of all the groups identified, for the reasons set forth in these comments, i.e. lower socio-economic status of minority populations, people of color will be the most heavily impacted group, reducing registration rates and voter participation rates of Hispanics and African Americans more than any other identified group.

It is not accidental that these changes have been proposed as the decennial census approaches and statistics show that the minority populations, particularly the Hispanic population, have been the growth in Texas over the past decade. It is not accidental as, on the tail of the 2008 elections, the magnificent increase of the number of elected Hispanic and African American officials have swept through the metropolitan areas of Texas is followed by state efforts to suppress minority participation in the electoral process.

The effect of these bills and the burdensome changes in voter registration and electoral participation is entirely foreseeable. These changes are undeniably aimed at the swelling increase of minority participation in the political processes in Texas over the past few decades. The changes are retrogressive and intended to discriminate against minority populations. As such, these changes will violate constitutional protections for minority voters and those afforded under the federal Voting Rights Act.

Some Thoughts On The Proposed Texas Photo-ID Bill.

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1. The first Consideration should be whether there is a problem with persons who vote multiple times– or of non-citizens voting for that matter. Everyone agrees that there are no documented cases where either of these has been done on any large scale in recent years. Many people refer to the Box 13 in Duval County during the Coke Stevenson vs Lyndon Johnson election in 1948. That was 59 years ago.
2. It is a serious violation of law to vote multiple times. While there have been a limited number of charges of multiple voting, nothing on any large scale. The limited interest by District Attorneys indicates that there is no ground swell of support from the law enforcement community.

On these two grounds alone, the Photo ID bill ought to be rejected.

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3. Nor would one expect that would be a large problem here. Multiple voting is not a very efficient way to commit fraud in an election. For example if you had 50 people who were willing to vote multiple times and they were able to get to 5 different voting precincts in one election day, you would have 250 votes.
 4. Only very small city and school board elections would be affected by this level of fraud. Obviously in a small city or school district everyone knows everyone and this would be impossible.
- Besides any criminal attorney will tell you that a conspiracy—which is what this would be-- works only if there a limited number of conspirators. 50 is not a limited number.

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The Next Question is Who is Burdened by a Photo ID requirement— Who is Likely Not to Have a Driver's License?

5. Everyone agrees that the elderly would be burdened and that those who do not have cars. This means the elderly poor and the poor in general.
6. the poverty and lower income rate is significantly higher among Hispanics and African American, they are less likely to have a vehicle and a Driver's License. And therefore more likely to obtain an Identity card.
7. Studies indicate a strong correlation between
 - ✓ Race/ethnicity and car ownership
 - ✓ Income and car ownership
 - ✓ Education and Car Ownership

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For Example:

“For all whites in our sample, 76 percent own cars, compared with 47 percent of blacks, and 52 percent of Latinos. Moreover, within educational attainment categories whites have higher (and statistically distinguishable) car ownership rates than do blacks and Latinos. For example, 51 percent of whites with less than 12 years of education own cars, compared with 28 percent of blacks and 44 percent of Latinos with comparable educations. Similarly, among individuals with 16 plus years of schooling, 87 percent of whites, 71 percent of blacks, and 64 percent of Latinos own cars.”

Can Boosting Minority Car-Ownership Rates Narrow Inter-Racial Employment Gaps? Steven Raphael Goldman School of Public Policy University of California, Berkeley raphael@socrates.berkeley.edu Michael Stoll School of Public Policy and Social Research University of California, Los Angeles mstoll@ucla.edu June 2000 at 12

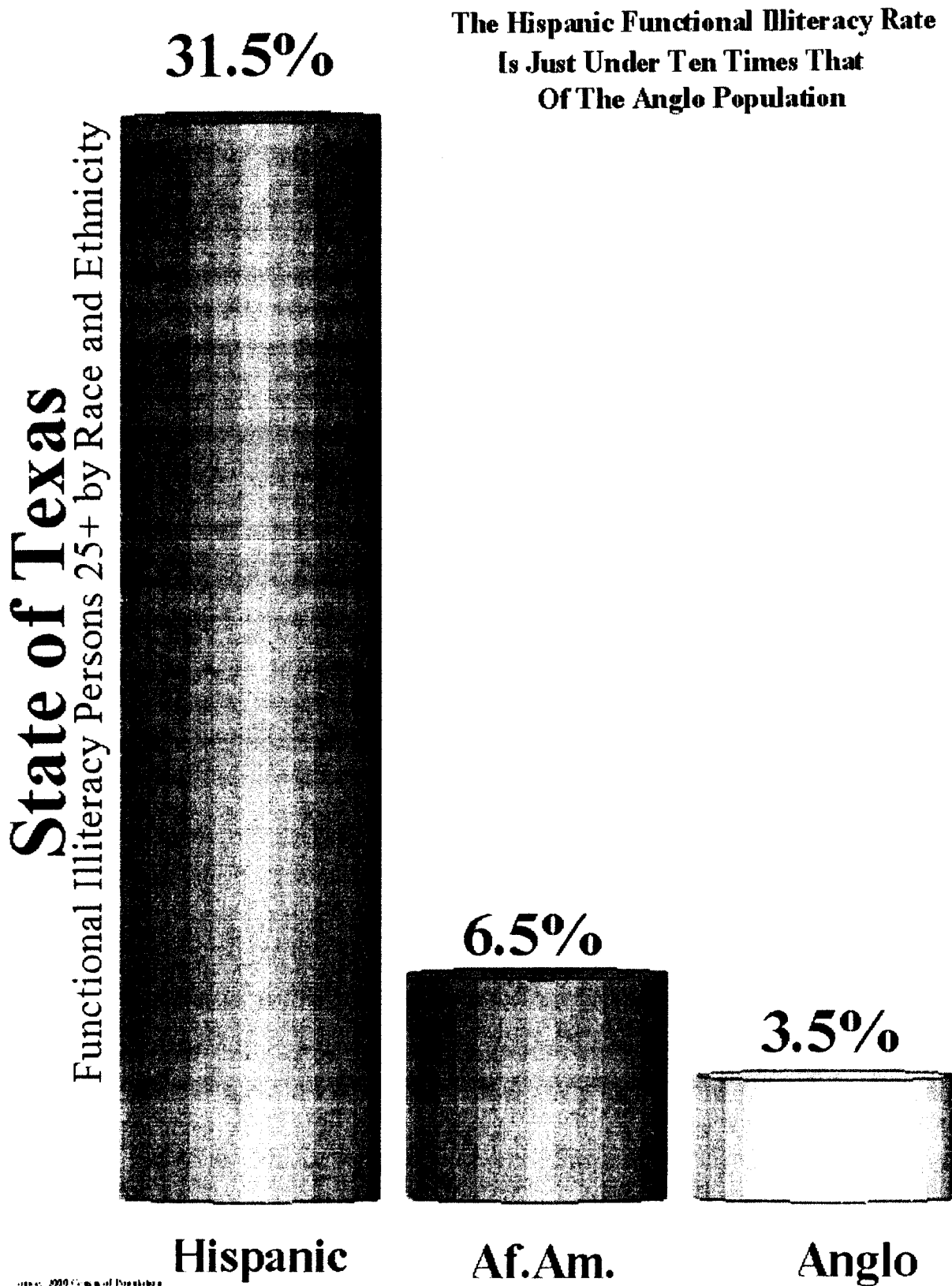
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Consider These Studies Correlating Income, Education and Race/Ethnicity in the Context of the 2000 Census

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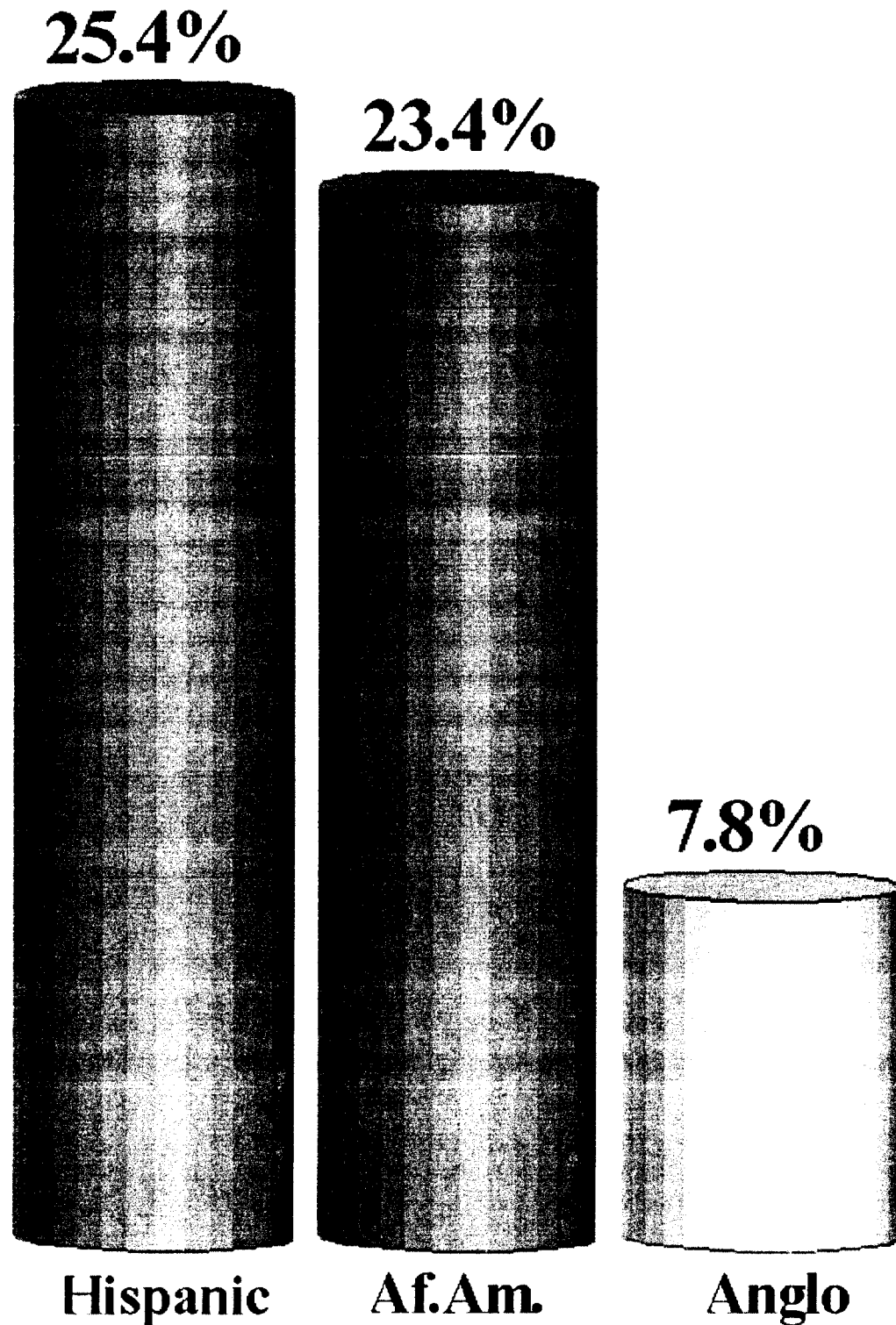
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State of Texas

Persons by Race and Ethnicity Below Poverty

**25% of Minority Texans
Live in Poverty**

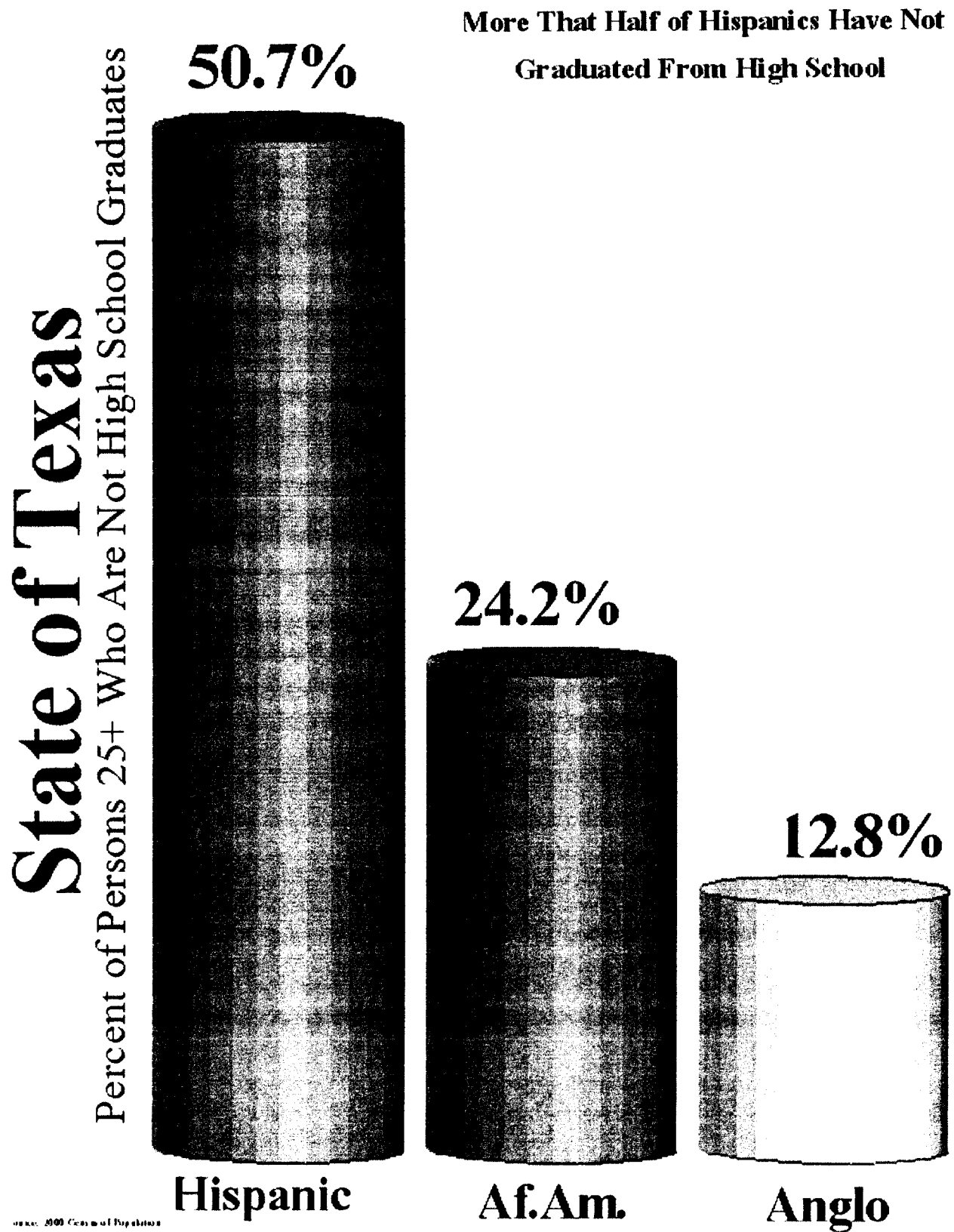


Source: 2000 Census of Population

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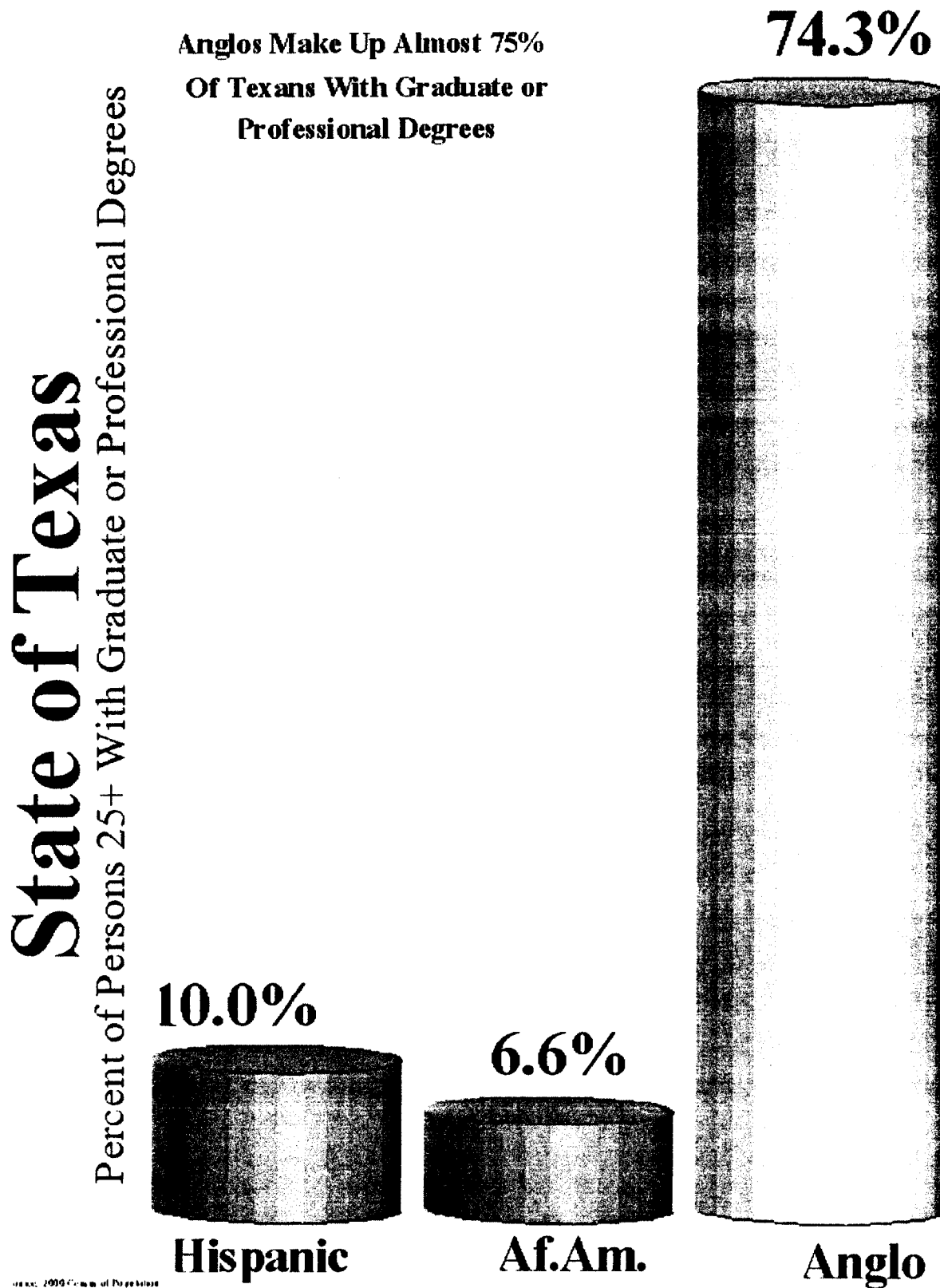
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8. This racial/ethnic differential in income increases with age. For example Hispanics and African Americans tend to rely almost entirely on Social Security for retirement income.

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9. Next consider these facts on poverty and income in the context of how does one obtain a Photo ID of one does not drive.
10. The location of places where the identification card is available has been mapped out for 4 counties. The number of locations is limited and in most cases not within the traditional minority area. Given the differential in income identified in the charts, the burden of travel would fall most heavily on the minority persons.
11. In urban areas it is not unusual to take more than an hour of waiting to get a license or renewal. One of my friends recounts that recently he went with his daughter to pick up her first driver's license. He timed it and it took just over 45 minutes. He drove to the DPS registration office and that took 26 minutes.
12. But he is an attorney and has a car. I am familiar with the urban bus systems in Texas. Had he taken the bus with waiting and transfer times, the travel time would likely have been more in the neighborhood of an hour each way.

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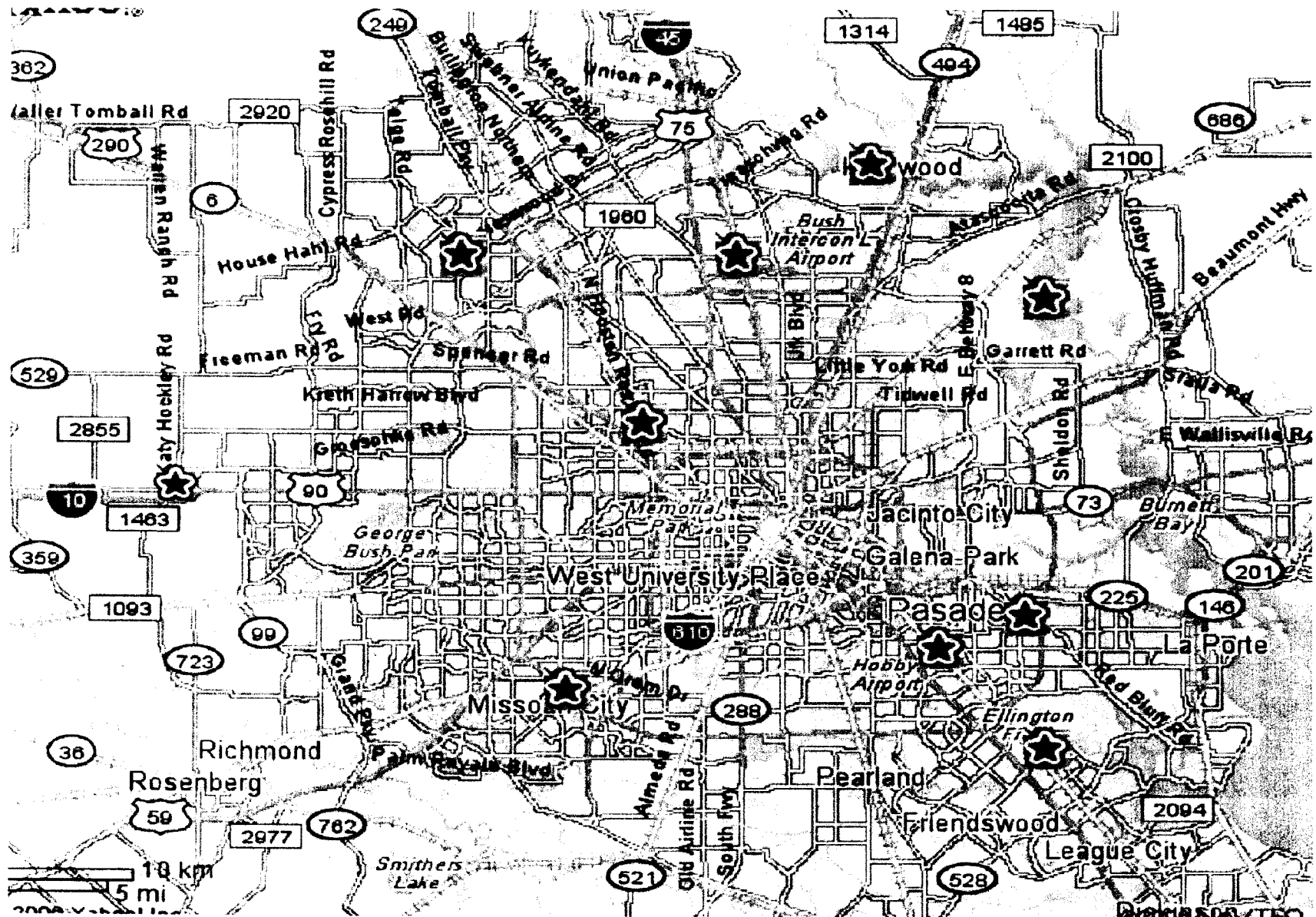
13. He told me that persons in line ahead of he and his daughter were turned away because they did not have all of the documents required. One of the biggest problems seemed to be in producing a Social Security card. I received my paper Social Security card many years ago. It has long since disintegrated. I know the number but it is never necessary to have the actual card. In fact I recall that on my card it specifically said not for identification.

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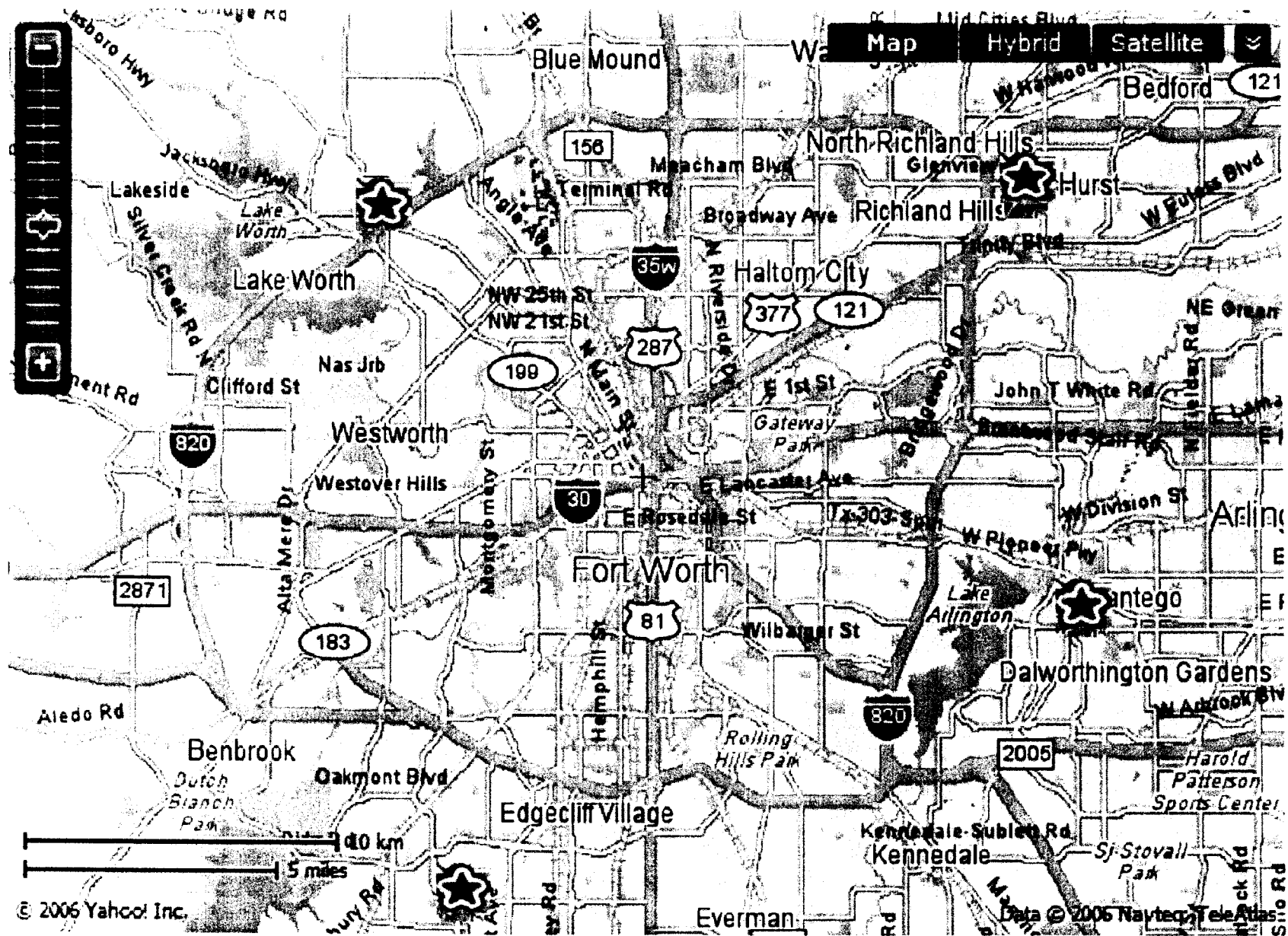
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14. I would not carry a social security card with me specifically to guard against identity theft. Besides, it is difficult to imagine why a Social Security number would be necessary to issue an identification card or a driver's license.
- These are the sort of thing that would seriously discourage getting an identity card.
 - Then there is the problem with how difficult will it be to obtain an identity card. The Locations of where to get this card follow.
 - Note how inconvenient these offices are to the minority population of our largest cities. Again consider the burden of transportation.
 - Obtaining an identity card would be a full day process.
 - Recall that the poll tax was Unconstitutional *not* because of the cost—although that was certainly a problem. It was because the poll tax discouraged minority registration and hence voting.

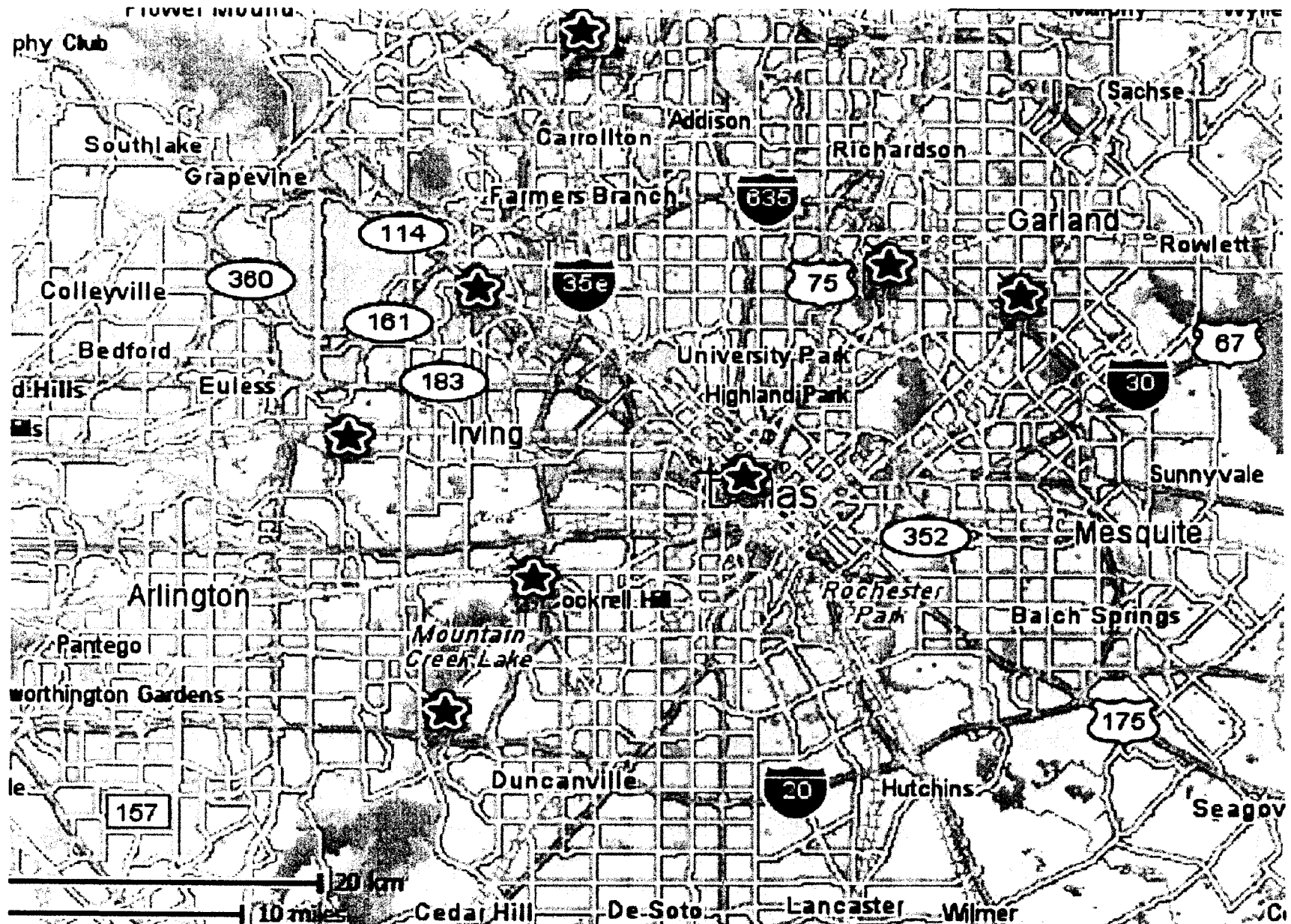
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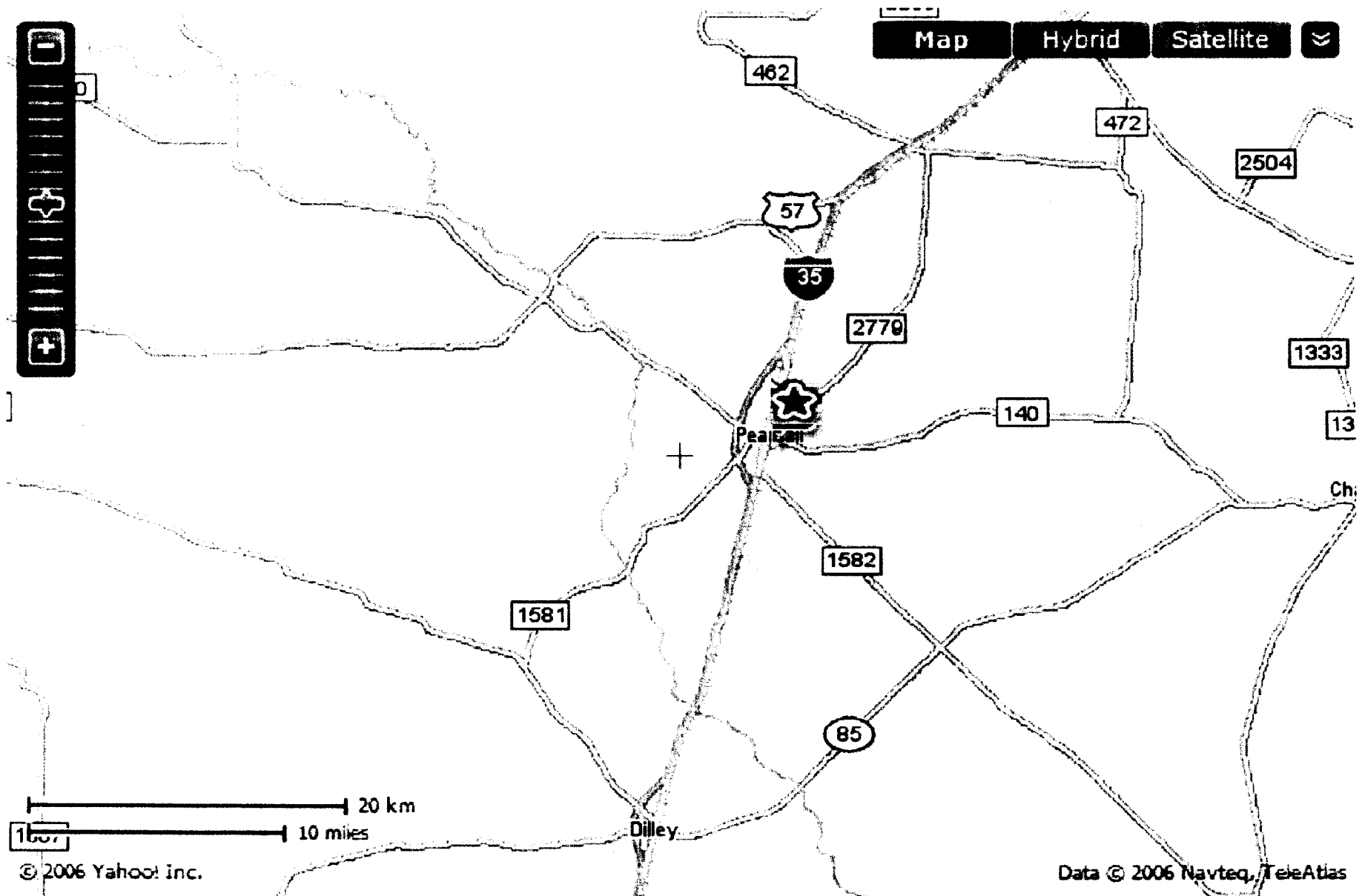
According to the DPS Website, there are no places to obtain a Identity Card within Loop 610 in Harris County. This is probably the greatest minority concentration in the state.



According to the DPS Website, there are no places to obtain a Identity Card within IH 820 in Tarrant County



According to the DPS Website, there is only one place in inner-city Dallas to obtain a Identity Card. This is clearly the second largest concentration of minority population in the state.



This is an example of a fairly large rural area in Frio County where the second largest town in the county is about 15 miles from the Pearsal Driver License Office.

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14. Obviously, the locations make it more difficult for minority Texans to participate in the political process.
15. Lets think again about the social security number.
16. Recall that in one of the first Voting Rights Section 5 Objections, Texas was specifically restrained from requiring a social security number connected with voter registration.
17. In order to obtain a Texas Identification card, the applicant must fill out a form. Some years ago Texas passed a statute that required that persons re-register on forms that would be sent to them. Because of the differential in literacy and education, the Department of Justice was concerned and issued another Section 5 Objection. The earlier charts show that this level of differential in literacy and education still exists.

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18. There are some documents that can be used in lieu of presenting a photo id. These include a letter or a bill in the voter's name and addressed to him/her from a Federal or a state agency. These sorts of notices have been substantially reduced with the advent of direct deposit. Many times several families or parts of families will live in the same house or in smaller houses on the same lot. The bills would likely be addressed to only one of the persons living there

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19. One of the arguments that has been advanced is that the Department of Justice will certainly approve (preclear) this photo id bill because the Courts have approved such a bill in a few other states and there was no Section 5 Voting Rights Objection to a similar law recently passed in Georgia.
20. To begin with, Texas had a poll tax which was invalidated by the Courts. The state then passed an annual registration bill that was stricken as unconstitutional with the observation by the Court that it was more restrictive than the poll tax. The legislature then passed a biannual registration bill that was also stricken by the Federal Courts as too restrictive. Texas then passed a permanent voter registration bill. However a few years later the state passed a purge and re-registration requirement that was invalidated by a Voting Rights Objection.
21. Another differential with Georgia is the sheer size of Texas. The minority population of just Harris County is as large as the minority population of Georgia. And most of that population is crowded into the area within Loop 610 where there is not a single place to obtain a Texas Identification card.
22. I suspect that if there were no convenient places for the minority population in Georgia to get the identification cards, there would have been no preclearance.

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Compare Minority Population of Harris County With That of the 50 States

State	Total	Af-American	Hispanic	Minority
California	33,871,548	2,263,887	10,946,556	13,210,443
New York	18,976,457	1,014,385	2,867,583	3,881,968
Florida	15,982,378	2,335,505	2,682,715	5,018,220
Illinois	12,419,702	1,876,875	1,530,267	3,407,142
Georgia	9,789,323	1,100,000	1,100,000	2,200,000
Harris County	3,674,566	648,583	1,439,965	2,333,995
New Jersey	8,414,350	1,141,871	1,117,191	2,259,062
North Carolina	8,049,313	1,737,545	378,968	2,116,508
Maryland	5,286,486	1,477,411	277,916	1,755,327
Michigan	9,938,444	1,412,342	373,877	1,786,219
Pennsylvania	12,281,054	1,724,612	394,088	2,118,700
Ohio	11,353,140	1,301,307	217,123	1,518,430
Dallas County	2,292,573	460,308	834,463	1,418,967
Texas	20,784,198	3,118,271	5,419,214	8,537,485
Arizona	6,392,983	311,111	1,111,111	1,422,222
Tennessee	5,689,283	392,809	123,838	516,647
Colorado	4,301,261	163,063	795,601	958,664
New Mexico	1,819,046	34,343	765,386	799,729
Massachusetts	6,349,097	343,454	428,779	772,233
Missouri	5,556,211	629,391	118,592	747,983
Indiana	6,080,485	310,084	214,536	524,620
Washington	5,824,121	190,767	441,502	632,269
Connecticut	3,405,565	309,843	320,323	630,166
Nevada	1,998,257	135,477	393,970	529,447
Arkansas	2,673,400	418,950	86,866	505,816
Wisconsin	5,361,675	304,460	192,921	497,381
Oklahoma	3,450,654	260,868	179,304	440,172
Kentucky	4,041,762	295,994	59,939	355,933
Kansas	2,688,418	154,198	188,252	342,450
Oregon	3,421,392	55,662	275,314	330,976
Minnesota	4,919,479	171,731	143,382	315,113
Utah	2,233,162	17,657	201,552	219,209
Delaware	783,600	150,666	37,277	187,943
Nebraska	1,711,263	68,541	94,475	163,016
Iowa	2,976,324	61,853	82,473	144,326
Rhode Island	1,048,315	46,908	90,820	137,728
Hawaii	1,211,537	22,003	87,699	109,702
Idaho	1,293,953	5,456	101,690	107,146
West Virginia	1,808,344	57,732	12,276	69,998
Alaska	688,291	1,111	1,111	2,222
Wyoming	493,782	3,722	31,662	35,384
New Hampshire	1,235,785	9,085	20,489	29,574
Montana	902,136	2,627	18,081	20,708
Maine	1,274,923	6,760	9,360	16,120
South Dakota	754,844	4,685	10,908	15,593
North Dakota	642,200	3,916	7,785	11,701
Vermont	606,827	3,063	5,504	8,567

Harris County has
virtually the same
Minority Population as
the Entire State of
Georgia

Dallas County has a
Larger Minority
Population than South
Carolina, Alabama,
Mississippi and Alaska

States entirely subject to Section 5

Compare 2008 Harris County Population with
2000 Census for States

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23. Other states where Courts have approved Voter ID statutes do not have a history of discrimination in registration. Nor the literally hundreds of findings of election discrimination on the basis of 42 U.S.C. Sec. 1983 and Section 2 of the Voting Rights Act.
24. The process involved in the Georgia preclearance of a similar bill is also troubling. There has been documentation of the fact that the professional staff recommended a Voting Rights Section 5 Objection to the Georgia Photo ID statute. This recommendation was simply ignored by the Attorney General.
25. Recall that there was also a recommendation by the professional staff that there be a Section 5 objection to the 2003 Texas Congressional redistricting (the DeLaymander) that was overridden by the political wing of the Justice Department. As you know the Federal Supreme Court invalidated the DeLaymander just last year under Section 2 of the Voting Rights Act.

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26. Next consider the differential in support when the issue was before us in 2007. All of the minority elected officials in the Texas House with the exception of one voted against the Photo ID bill. And the only exception was a first term Republican member of the House who was elected from a non-minority district. He was thereafter defeated by an Anglo Republican.
27. And we all recall the saga of Senator Gallegos returning on a gurney from his hospitalization related to his transplant. All of the minority members of the Texas Senate voted in concert to keep the bill passed by the House off the Senate floor and effectively killed it. This year the Texas Senate voted to exclude the Photo ID bills and those relating to redistricting from the redistricting. Recall what happened when the Senate tried the same trick in the 2003 Congressional redistricting.

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Photo ID Bill on Final House Passage

Yes on Final Passage

54	Anderson, Charles
54	Aycock, James Don
6	Barnes, Lee
138	Bobas, Duane
25	Bonner, Dennis
4	Brown, Betty
14	Brown, Fred
132	Callahan, William
88	Chisum, Warren
9	Christie, Wayne
8	Cook, Bruce
122	Cove Jr, Frank
127	Cobb, Joe
64	Crommeyer, Mike
72	Darby, Drew
129	Davis, John E
44	Dalke, Duane Wayne
28	O'Day, Mike
125	Dwyer, Joe
14	Easter, Rob
135	Elkins, Greg
106	England, Kirk
2	Flury, Dan
20	Gartin, Dan
98	Geyer, Charlie
103	Goodkin, Terry
78	Hansen, Ed
19	Henderson, Mike Jeff
91	Hinckley, Kelly
68	Hirshbaugh, Rick
126	Harden, Patricia
105	Harper-Brown, Linda
114	Hartman, Will
53	Hiderbrand, Harvey
122	Hill, Fred
48	Howard, Donna
5	Hughes, Brian
84	Ivan, Carl H
115	Jackson, Jr.
42	Kramer, Mike

101	Latham, Thomas
89	Laubenberg, Jodie
67	Madden, Jerry
66	McCall, Brian
59	Miller, Sid
30	Moorman, George
97	Mowery, Anna
123	Murphy, Jim
58	Orr, Rob
18	Orto, John
63	Packer, Tim
94	Parrock, Deane
70	Paxson, Ken
62	Phillips, Larry
10	Pitts, Jim
150	Riddle, Debbie
92	Smith, Todd
128	Smith, Wayne
86	Smither, John T
65	Sokolonski, Bart R
121	Sorensen, Joe
87	Swinford, David
149	Talbot, Robert
24	Taylor, Larry
98	Thurk, Vicki
130	Van Andale, Corbin
81	West, G. E. "Buddy"
156	Woolley, Beverly
96	Zedler, Bill
28	Zerwas, John
60	Keffer, Jim
61	King, Phil
71	King, Susan
15	Kolichowski, Lou W
73	Macias, Nathan

No on Final Passage

145	Bailey, Kevin
47	Bolton, Valinda
90	Burman, Len
134	Cohen, Ellen
17	Cook, Robert
57	Dunnigan, Jim
23	Eiland, Craig
69	Farnbee, David
1	From, Stephen
85	Haffin, Joe
137	Hochberg, Scott
3	Homer, Mark
11	Hosson, Chuck
26	Howard, Charles F
83	Jones, Delwyn
30	Kerr, Tracy O
117	Lehman, Paul M
12	McRaynolds, Jim
7	Martin, Tommy
49	Nashua, Elson
70	Ortiz, Joe
93	Pearson, Paula
73	Perez, Allan
45	Rose, Patrick M
50	Stamps, Mark
107	Vaughn, Allen
113	Walters, Elmer
38	Wentz, Amanda
124	Wentz, Joe
146	Wentz, Rick
37	Offutt, Ross O
27	Oliver, Don
33	Ortiz, Solomon Jr
40	Palm, Aaron
119	Patterson, Robert
75	Ortiz, Chema
43	Raymond, Bob
51	Reddick, Edie
121	Villanar, Mike
149	Vo, Hubert

	Hispanic
	AE American
	White Anglo
	Other
A	Absent
AE	Absent Excused
PAN	Present/Not Voting

82	Craddock, Tom	PAN
34	Flora, James "Kino"	PAN
16	Crashen, Brandon	A
104	Branch, Dan	AE
77	Morgan, Paul	AE

Only one minority house member— who is not elected from a minority dominated district- voted in favor of final passage

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28. But there are also serious practical problems with the procedure of presenting additional documentation to vote while voting is going on.
29. For example, one of the biggest complaints in voting on election day is waiting in line to vote. Adding additional time to check photo id, alternative documents or allow someone to provisionally vote takes time.
30. Picture IDs are sometimes not a good likeness. The alternative documents might also be problematic. Is the Joe Garza on the utility statement the same as the Jose Luis Garza on the voter registration. Or is the Henry Gonzalez the same person as Enrique Gonzales.

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31. Time is the biggest discouragement. Think about the hourly worker who works an entire day— frequently 7:00 to 5:00 in Houston or Dallas. He or she would then have to drive home this is another hour or more. Polls close at 7:00. Any sort of a line would discourage staying and voting. This is particularly true where there are active poll watchers who raise questions requiring the election judges the make additional decisions.
32. Recall the problems that can result from our unreliable electronic voting.
33. The alternative documents could also be problematic. For example, if a mother and father have moved in with one of their children or visa versa. There would be no utility statements et.c available. Since the advent of direct deposit, there are fewer letters sent to pensioners.
34. Anyone who has ever dealt with the elderly knows how difficult it is for them to find bills, envelopes, statements and the like.
35. Another thing that the Department of Justice looks at in considering a Section 5 objection is what the minority community thinks about the bill. What prominent Hispanic or African American leader is pushing this Photo ID Bill?

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Some have referred to the Photo ID bill as “a solution looking for a problem.” Others have said the prime rule of the Texas Legislature has always been “if it ain’t broke don’t fix it.”

With all of the potential downsides and no documented instances of coordinated multiple voting since 1948 voting such a radical change is difficult to justify. In fact, if the 1948 Lyndon Johnson and Coke Stevenson election happened today, any such fraud would be smoked out in an election contest with little difficulty.

Further restrictions on voting should be made of sterner stuff.

I urge that the Committee not vote the bill out.

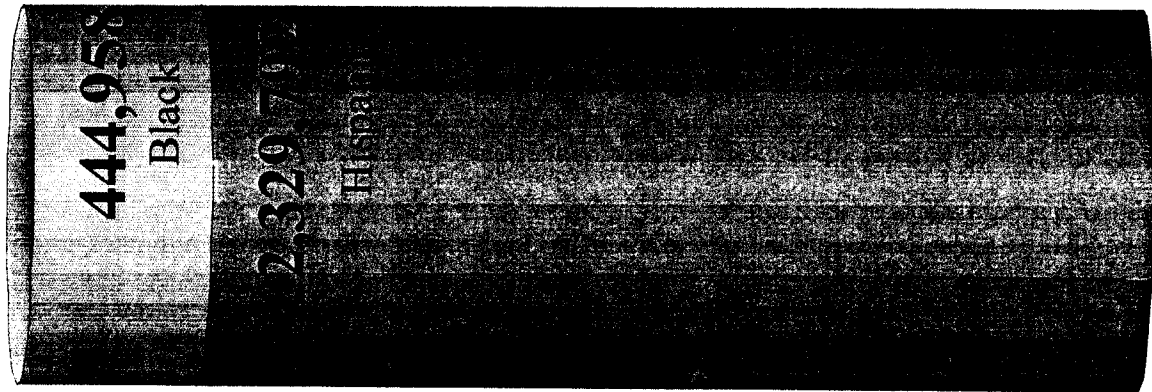
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State of Texas

Population Growth 1990-2000

2,774,750



Minority

Anglo

This Growth in the Minority Population is also clear from the 1990 and 2000 Census

**During That Period
The Anglo Population
Grew by Just Over
600,00 While the
Minority Population
Increased by Almost
3,000,000**

624,982

Draft

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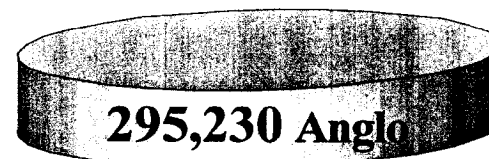
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State of Texas

Projected Population Growth 2000-2010

**During the Decade 2000-2010
Over 90% of the Texas
Growth Will be Minority**

**The Minority Population of Texas is
Projected to Grow by Almost 4,000,000
While the Anglo Population is Expected to
increase by Less Than 300,000**



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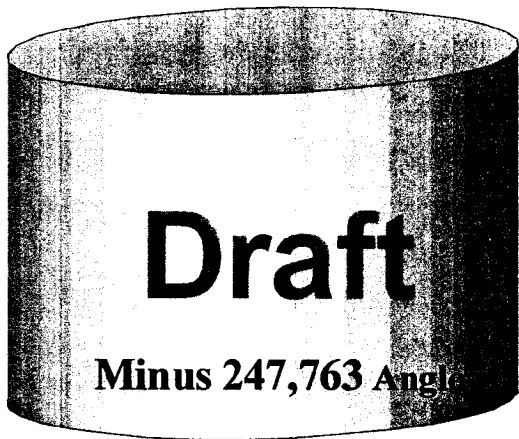
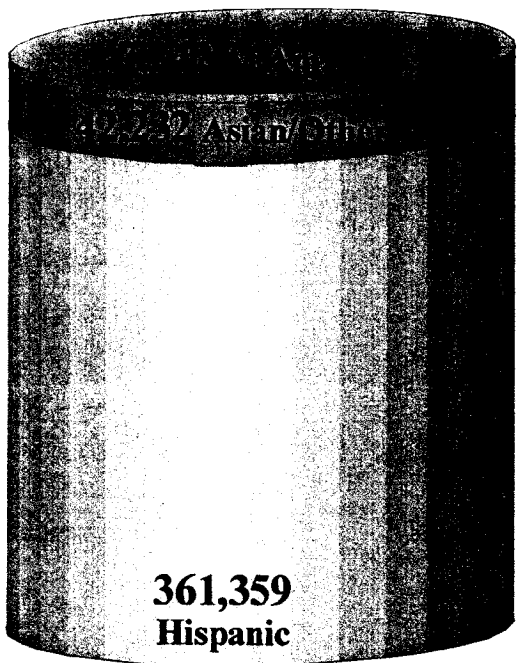
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Dallas County

Population Growth 2000-2010

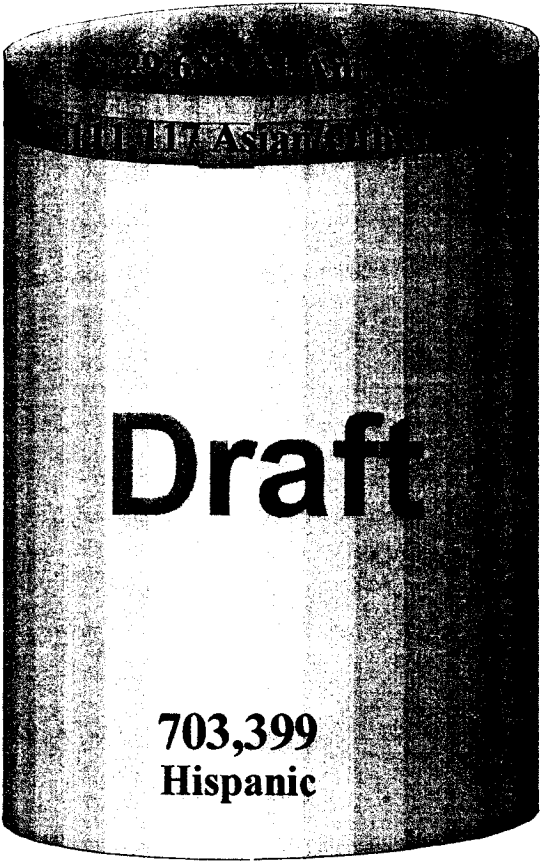
**During the Decade 2000-2010
All of the Dallas County Growth
Comes from Minority Groups**

The Minority Population of Dallas County is
Projected to Grow by Almost 400,000 (85%
Hispanic) While the Anglo Population is Expected
to **Decline** by Almost 250,000



TX_00003341
JA_004245

TX_00003341
USA_00019127

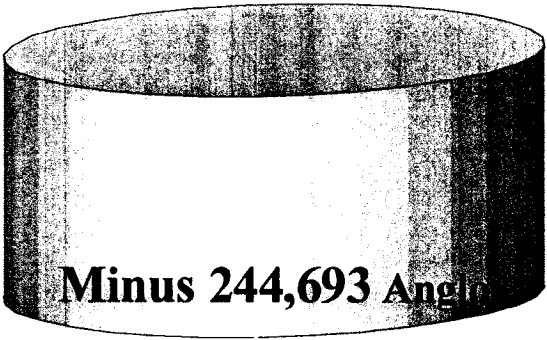


Harris County

Population Growth 2000-2010

**During the Decade 2000-2010
All of the Harris County
Growth Comes from Minority
Groups**

The Minority Population of Harris County is Projected to Grow by More Almost 850,000 (80% of Which are Hispanic) While the Anglo Population is Expected to **Decline** by Almost 250,000



244,693	-40.4%	29,683	4.9%	703,399	117.1%	111,117	18.5%
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TX_00003342
JA_004246

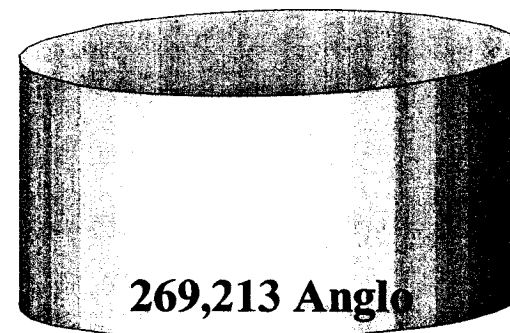
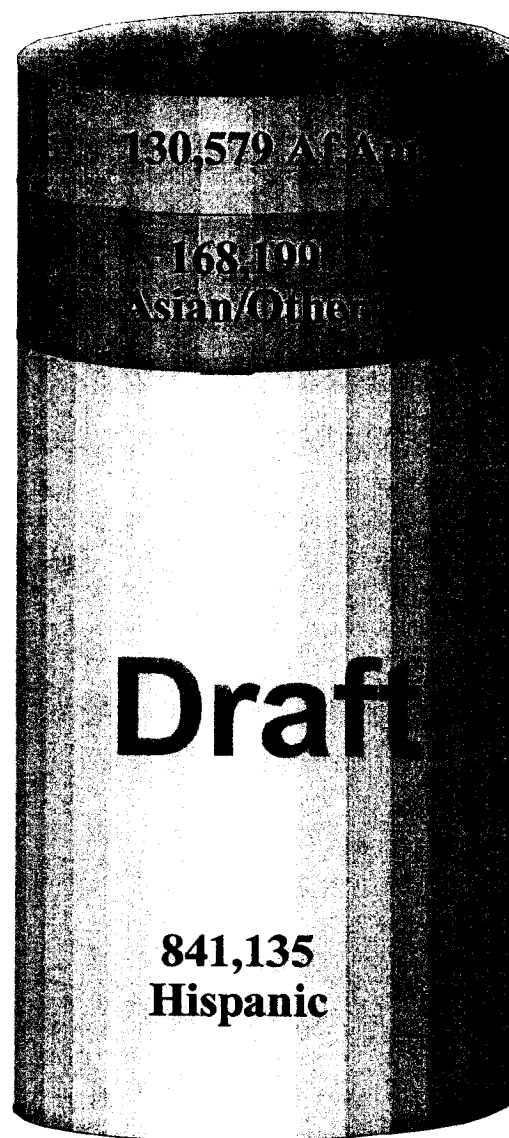
TX_00003342
USA_00019128

Dallas Metroplex

Population Growth 2000-2010

**During the Decade 2000-2010
80% of the Growth in the Dallas
Metroplex Will Come from
Minority Groups**

The Minority Population of Dallas Metroplex Will
Grow by More than 1,100,000 (88% of Which are
Hispanic) While the Anglo Population is Expected
to increase by 269,213



TX_00003343
JA_004247

USA_00019129

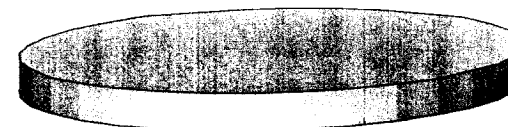
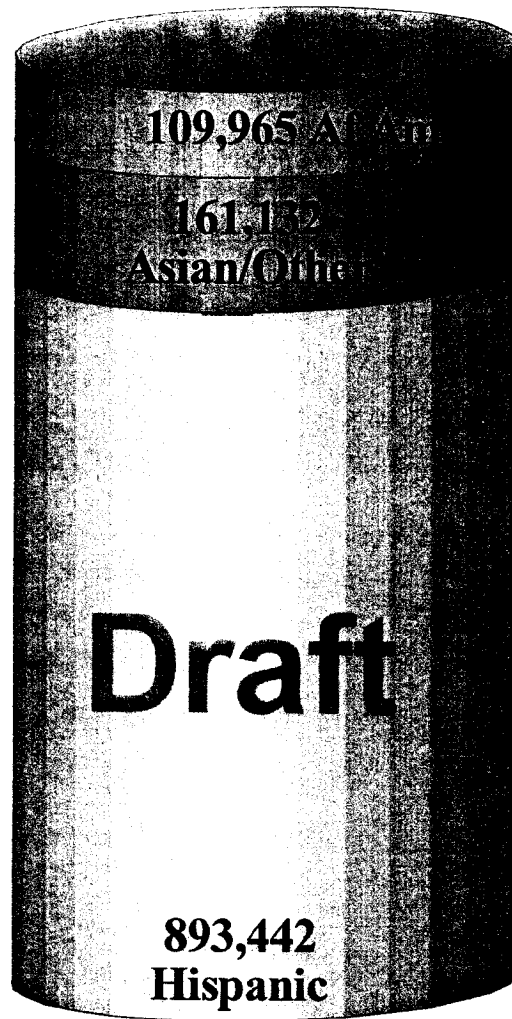
TX_00003343

Houston Metropolitan Area

Population Growth 2000-2010

**During the Decade 2000-2010
All of the Houston Metro
Growth Will Come from
Minority Groups**

The Minority Population of Houston Metropolitan Area Will Grow by More than 1,100,000 (almost 90% of Which will be Hispanic) While the Anglo Population is Expected to **Decline** by 45,814



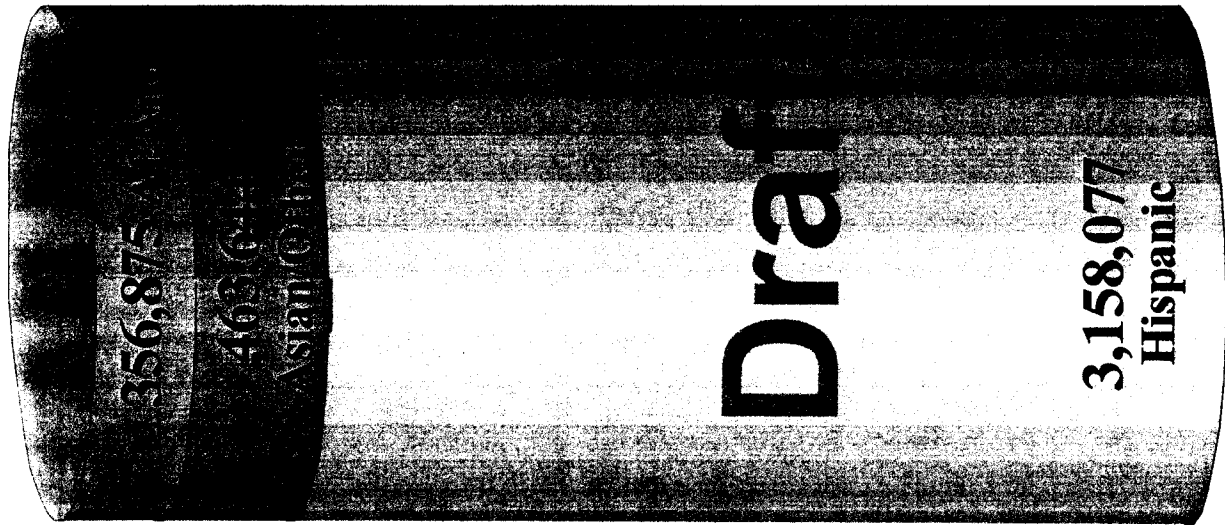
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TX_00003344

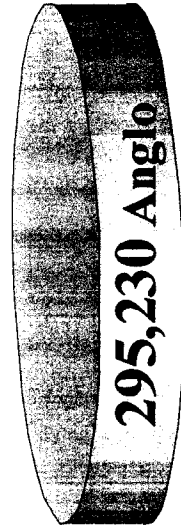
State of Texas

Projected Population Growth 2000-2010



**During the Decade 2000-2010
Over 90% of the Texas
Growth Will be Minority**

**The Minority Population of Texas is
Projected to Grow by Almost 4,000,000
While the Anglo Population is Expected to
increase by Less Than 300,000**



TX_00003345
JA_004249

TX_00003345

USA_00019131

We anticipate that Texas will have grown by somewhere between 4,000,000 and 5,000,000 persons when the 2010 Census is taken. The estimates and projections in this study are based on a growth of approximately 4,000,000 persons.

Draft

The Texas Constitution specifies that there be 31 Senate and 150 House Districts.

Congressional Districts increase as the population of Texas grows faster than the United States population. In 2000 Texas picked up an additional 2 seats and it is anticipated that in 2010 Texas will gain 3 or 4 seats.

TX_00003346
JA_004250

TX_00003346
USA_00019132

Under 2000 Census Under 2010 Census

House District:

(150) 139,012 167,371

Senate District:

(31) 672,639 809,860

Cong. Dist.

(32) 651,619

Draft

(34) 738,401

(35) 717,304

(36) 697,379

TX_00003347
JA_004251

TX_00003347
USA_00019133

Some Thoughts On The Proposed Texas Photo-ID Bill.

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San Antonio, Texas
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(210) 216-3333

1. The first Consideration should be measure the magnitude of the problem. Do we have a rash of persons who vote multiple times– or of non-citizens voting for that matter. Everyone agrees that there are no documented cases where either of these has been done on any large scale in recent years. Many people refer to the Box 13 in Duval County during the Coke Stevenson vs Lyndon Johnson election in 1948. That was 61 years ago.
2. It is a serious violation of law to vote multiple times. While there have been a limited number of charges of multiple voting, nothing on any large scale. The limited interest by District Attorneys indicates that there is no ground swell of support from the law enforcement community. Indeed, a recent investigation by the Bexar County DA.

On these two grounds alone, the Photo ID bill ought to be rejected.

3. Nor would one expect that would be a large problem here. Multiple voting is not a very efficient way to commit fraud in an election. For example if you had 50 people who were willing to vote multiple times and they were able to get to 5 different voting precincts in one election day, you would have 250 votes. On last election day, I actually tried to see how many polling places I could get to and vote at. I would put the max in the range of 10.
4. Only very small city and school board elections would be affected by this level of fraud. Obviously in a small city or school district everyone knows everyone and this would be impossible. I grew up in one of those sorts of jurisdictions.

Besides any criminal attorney will tell you that a conspiracy-- which is what this would be-- works only if there a limited number of conspirators. 50 is not a limited number.

The Next Question is Who is Burdened by a Photo ID requirement-- Who is Likely Not to Have a Driver's License?

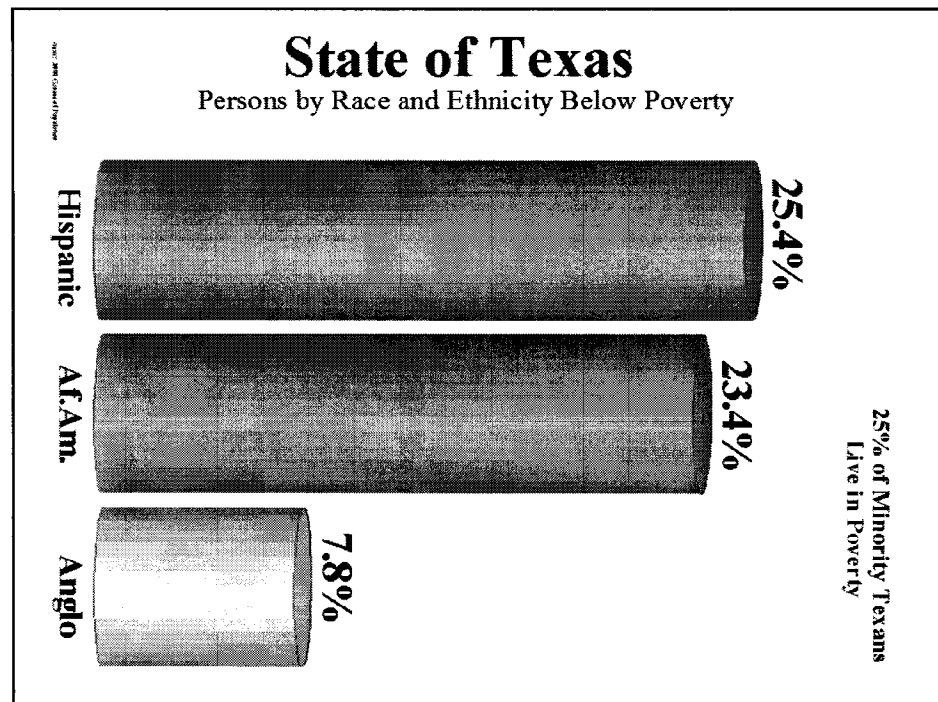
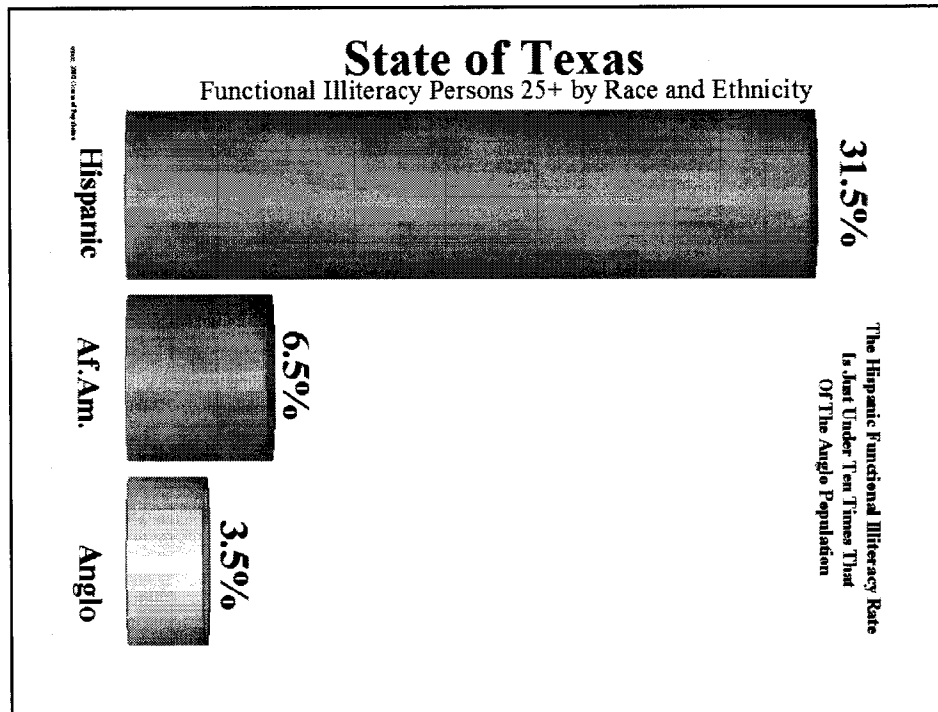
5. Everyone agrees that the elderly who have stopped driving as well as the poor who do not have a vehicle. The elderly poor would be most hit.
6. Poverty and lower income rate is significantly higher among Hispanics and African American and they are less likely to have a vehicle and a Driver's License. Studies indicate a strong correlation between
 - ✓ Race/ethnicity and car ownership
 - ✓ Income and car ownership
 - ✓ Education and Car Ownership

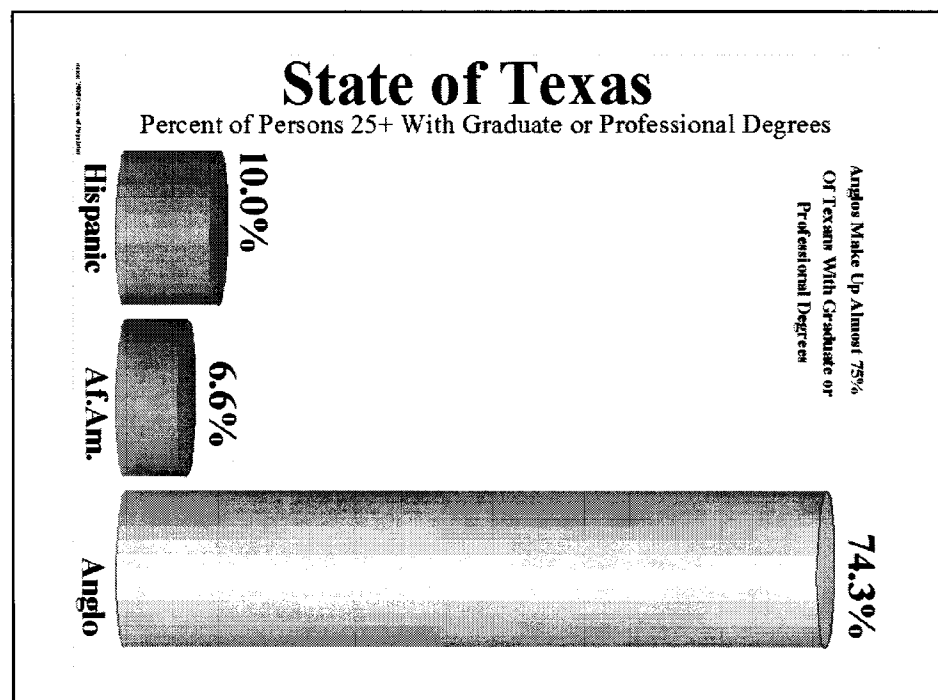
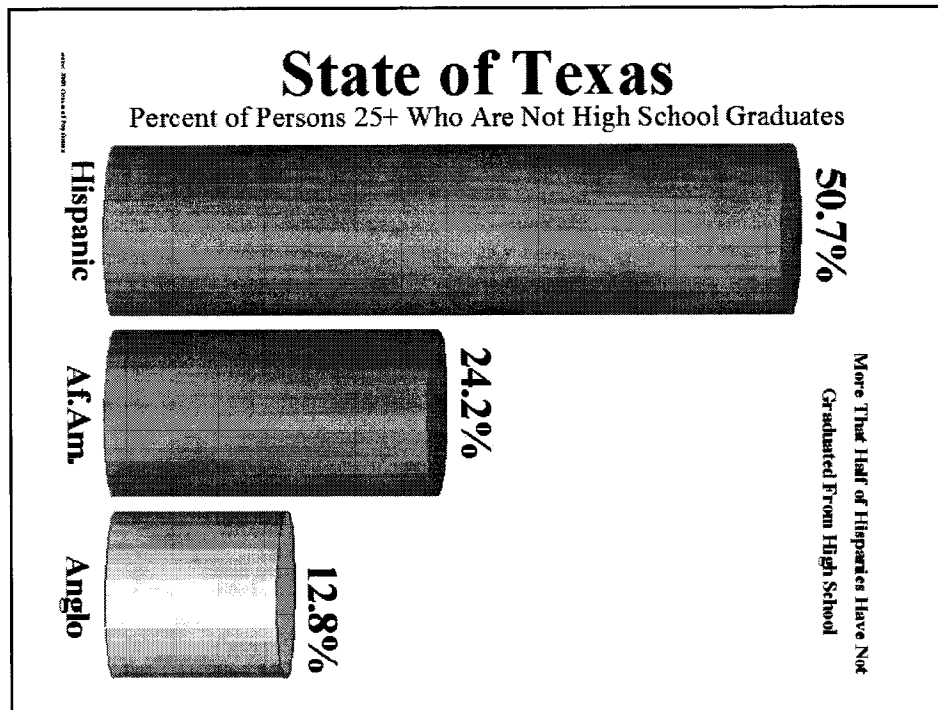
For Example:

“For all whites in our sample, 76 percent own cars, compared with 47 percent of blacks, and 52 percent of Latinos. Moreover, within educational attainment categories whites have higher (and statistically distinguishable) car ownership rates than do blacks and Latinos. For example, 51 percent of whites with less than 12 years of education own cars, compared with 28 percent of blacks and 44 percent of Latinos with comparable educations. Similarly, among individuals with 16 plus years of schooling, 87 percent of whites, 71 percent of blacks, and 64 percent of Latinos own cars.”

Can Boosting Minority Car-Ownership Rates Narrow Inter-Racial Employment Gaps? Steven Raphael Goldman School of Public Policy University of California, Berkeley raphael@socrates.berkeley.edu Michael Stoll School of Public Policy and Social Research University of California, Los Angeles mstoll@ucla.edu June 2000 at 12

Consider These Studies Correlating Income, Education and Race/Ethnicity in the Context of the 2000 Census





8. This racial/ethnic differential in income increases with age. For example Hispanics and African Americans tend to rely almost entirely on Social Security for retirement income.

9. Next consider these facts on poverty and income in the context of how does one obtain a Photo ID of one does not drive.
10. The location of places where the identification card is available has been mapped out for 4 counties. The number of locations is limited and in most cases not within the traditional minority area. Given the differential in income identified in the charts, the burden of travel would fall most heavily on the minority persons.
11. In urban areas it is not unusual to take more than an hour of waiting to get a license or renewal.
12. I am familiar with the urban bus systems in Texas. If you add travel and transfer time, I feel confident that obtaining a photo ID would take the better part of an entire day.

